

**JOB SPECIFIC  
TRAINING SPECIAL PROVISIONS**

The purpose of this specification is to require the establishment of a contractor based program to provide on-the-job training for the purpose of developing full journeyworkers through apprenticeship programs in accordance with the Rhode Island Department of Transportation Training Special Provision Program Overview which is available at the Rhode Island Department of Transportation, Office of Civil Rights. This training is to be provided as part of the Contractor's equal employment opportunity affirmative action program and selections to this program should be based on the Contractor's needs relative to achieving compliance. Therefore, until such time as the Contractor can show full utilization of minorities and women with respect to his affirmative action goals, this program shall, for the most part, be limited to minorities and/or women. The Department maintains the right to reject any applicant which it feels is not appropriate given all the pertinent factors and information available at the time of appointment. As such, the Contractor shall supply to the Department's External Equal Opportunity office (EEO) any information utilized in the consideration of the appointments. The Department will then notify the Contractor, in writing, with proper explanation as necessary, as to the acceptability of an applicant. This training commitment is not intended, and shall not be used, to discriminate against any applicant for training, whether a member of a minority group or not. Furthermore, no employee shall be employed as a trainee in any classification in which they have successfully completed a training course leading to journeyworker status or in which they have been employed as a journeyworker.

The contractor will submit to the Department's EEO office, for written approval, prior to the start of the normal construction season and not later than April 1<sup>st</sup> of that year a training plan outlining and detailing the proposed number of trainees, projected hours to be worked and the type of training to be provided. The number of trainees maintained within the training program annually will be based on the Contractor's projected gross Rhode Island work for that particular year. The Contractor will provide training for one individual for up to every five million dollars (\$5,000,000.00) of the Contractor's anticipated gross Rhode Island work less subcontracting expenses. Due to the fact that the original yearly staffing for this program will be based on projections, adjustments to the program will be allowed upon written approval of the Department.

The minimum length and type of training for each classification will be as established in the training program selected by the Contractor and approved by the Department. The Department shall approve the program if it is reasonably calculated to meet the equal employment opportunity obligations of the Contractor and to qualify the average trainee for journeyworker status in the classification concerned. Furthermore, apprenticeship programs registered with the U.S. Department of Labor, Bureau of Apprenticeship and Training or with a state apprenticeship agency recognized by the Bureau and training programs approved but not necessarily sponsored by the U.S. Department of Labor, Manpower Administration, Bureau of Apprenticeship and Training shall also be considered acceptable provided it is being administered in a manner consistent with the equal employment obligations of the Contractor. The intent of this provision is to provide training in the construction crafts rather than clerk-typists or secretarial-type positions. Training is permissible in lower level management positions such as office engineers, schedulers, estimators, timekeepers, and so on where the training is oriented toward construction applications. Training in the laborer classification may be permitted provided that significant and meaningful training is provided.

Although the intent of this requirement is to utilize trainees on Rhode Island Department of Transportation (RIDOT) projects, the program is not limited solely to participation on RIDOT projects. The Contractor may utilize trainees on private contracts as well, providing the work is appropriate and in keeping with the training goals established for that particular trainee. The intent of this allowance is for the purpose of maintaining, to the extent possible, continuous training for the trainee and his or her ultimate achievement of journeyworker status. Therefore, the Contractor shall make every effort to maintain those trainees under his employ prior to any lay-off action. Additionally, in the event of a lay-off, the Contractor shall, to the satisfaction of the Department, make every effort to reinstate those persons laid off, who were entered in his training program prior to any new recruitment in said program. Furthermore, those trainees satisfactorily completing a construction season and still classified as a trainee, shall be automatically enlisted in the Contractor's next training program where work projections allow unless the trainee is unavailable or not returned for reasons mutually agreed upon by the Department and the Contractor.

The Contractor shall submit to the Department's EEO office monthly reports on all personnel incorporating all achievements associated with the training program for that particular period. The report shall list all trainees and their employment status categorizing all hours for each trainee by contract, and further divided by FAP and Non-FAP projects. The report shall also be accompanied by a narrative on each trainee outlining any substantive achievements or problems encountered during the reporting period. Discussion should also be included as to the ability, attitude, attendance and potential of the individual trainees and any recommendations which the Contractor may have relative to trainees and/or the program. These reports are subject to verification by RIDOT's EEO office and must be supported by certified payrolls. Any attempt on the Contractor's part to simply submit a formatted report without an original personal discussion on each trainee taking part in the program will be deemed unacceptable. Monthly reports shall be submitted on standardized forms incorporated into the CHAMP program.

Based on submitting proper documentation for payment, the Contractor will receive reimbursement at the bid price rate for each trainee hour worked by an approved trainee within the training program on RIDOT federally funded projects. Payments will be processed against those projects in which training occurred subject to verification by the Department. Reimbursement requests shall be submitted by the contractor monthly where applicable. The Contractor will not receive any financial reimbursement for hours worked on non RIDOT or non federally funded RIDOT activities; however, the hours worked which are not financially reimbursable will still be attributed to and count as credit towards the Contractor's approved training program.

Compliance determinations with respect to the Contractor's efforts to achieve those goals established for a training season as outlined in the Contractor's approved training program will be conducted and completed bi-annually within a particular season during the months of July and December. The July review will allow for adjustments in staffing based on more definitive contract work information. However, should the Department determine through the year-end review that the Contractor has failed to comply with the goals outlined and included in the contractor's training program, then the number of remaining hours not met for that compliance period (April-December) will be multiplied by the prevailing wage rate for those trainee classifications deficient with the resulting costs being reimbursed to the Department by the Contractor prior to the beginning of the next training period. Should the Contractor fail, and without just cause, to comply with this reimbursement requirement, then he will be precluded from bidding on all RIDOT projects until such time as this financial obligation to this Department has been met and a new and approved training program is established and initiated with this Department.

**Basis of Payment:** The Contractor will be paid for this item under "Code 940.0100 Trainee Work-hours". The unit bid price per work hour as paid to the Contractor shall constitute full compensation for the trainee services including all fringe benefits. Minimum bid for this item is \$6.00/hour. Reimbursement will be made only in accordance with the requirements of this specification and only for work performed on federally funded RIDOT projects.

**SPECIAL NOTE:** If a "Trainee" pay item is not carried in the proposal pages, then this special provision is not applicable.